

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ADIL LAHRICHI,

Plaintiff,

v.

LUMERA CORPORATION, a Delaware
corporation; MICROVISION, INC., a
Delaware corporation; and THOMAS D.
MINO,

Defendants.

No. C04-2124C

**STIPULATED ORDER TO EXTEND
CERTAIN EXPERT DISCLOSURE AND
DISCOVERY**

Pursuant to the Court's January 5, 2006 Order, the parties stipulate as follows:

1. The parties agree to an extension of the deadline for revealing expert witnesses pertaining to the exacerbation of Plaintiff's involuntary movement disorder to March 10, 2006.
2. The parties agree to an extension of the deadline for revealing rebuttal expert witnesses pertaining to the exacerbation of Plaintiff's involuntary movement disorder to April 10, 2006.
3. The parties agree to an extension of the deadline for revealing rebuttal expert witnesses pertaining to Plaintiff's economic damages to February 3, 2006.
4. The parties agree to extend the discovery cutoff with regard to depositions of expert witnesses on Plaintiff's involuntary movement disorder. The parties agree to complete

**STIPULATED ORDER TO EXTEND CERTAIN
EXPERT DISCLOSURE AND DISCOVERY - 1**

Case No. No. C04-2124C

Seattle-3287558.4 0041109-00005

STOEL RIVES LLP
ATTORNEYS
600 University Street, Suite 3600, Seattle, WA 98101-3197
Telephone (206) 624-0900

depositions of experts on Plaintiff's involuntary movement disorder as soon as is practicable before the May 1, 2006 trial date in this case.

5. The parties agree to extend the discovery cutoff for any neurological and/or psychological Fed. R. Civ. Proc. 35 independent medical examinations of Dr. Lahrichi to April 5, 2006.

6. The parties agree that the following depositions can be taken and/or completed after the discovery cutoff, and agree to complete these depositions by March 31, 2006: Adil Lahrichi (3.0 hours remaining; topics to be covered: exacerbation claim, damages, Coherent, recently produced documents); Regine Csipke (4.5 hours remaining); Tom Mino (1.0 hours remaining; financial topics only); Jacek Chrostowski; Amelia Derr; Dr. Frederick DeKay and Dr. Paul B. Brown. The parties agree that the deposition of Lee Foote may also occur after the discovery cutoff but must be completed by March 17, 2006. The parties also agree that the deposition of D. Edson Clark, CPA may occur, if necessary, after he submits a report in the event of a jury verdict in Plaintiff's favor in this case.

7. The parties agree that within one week of taking the deposition of Lee Foote and/or D. Edson Clark, CPA the opposing party may disclose a rebuttal expert, and that rebuttal expert's deposition must be completed as soon as is practicable before trial, or, in the case of Mr. Clark, in light of the post-trial schedule.

DATED this day 20th of January 2006.

STOEL RIVES LLP

MacDONALD HOAGUE & BAYLESS

By /s/ Keelin A. Curran
 Keelin A. Curran, WSBA #16258
 Molly M. Daily, WSBA #28360
 Attorneys for Defendants
 600 University Street, Suite 3600
 Seattle, WA 98101
 Telephone: (253) 624-0900
 Fax: (253) 386-7500
 E-mail: kacurran@stoel.com
 E-mail: mmdaily@stoel.com

By /s/ Approved by Email
 Katrin E. Frank, WSBA #14786
 Attorneys for Plaintiff
 1500 Hoge Building
 705 2nd Avenue
 Seattle, WA 98104
 Telephone: (206) 622-1604
 Fax: (206) 343-3961

**STIPULATED ORDER TO EXTEND CERTAIN
 EXPERT DISCLOSURE AND DISCOVERY - 2**
 Case No. No. C04-2124C

ORDER

Pursuant to the foregoing stipulation, it is HEREBY ORDERED:

1. The deadline for revealing expert witnesses pertaining to the exacerbation of Plaintiff's involuntary movement disorder is extended to March 10, 2006.
2. The deadline for revealing rebuttal expert witnesses pertaining to the exacerbation of Plaintiff's involuntary movement disorder is extended to April 10, 2006.
3. The deadline for revealing rebuttal expert witnesses pertaining to Plaintiff's economic damages is extended to February 3, 2006.
4. Depositions of experts on Plaintiff's involuntary movement disorder must be completed as soon as is practicable before the May 1, 2006 trial date in this case.
5. A neurological and/or psychological Fed. R. Civ. Proc. 35 independent medical examinations of Dr. Lahrichi must be completed by April 5, 2006.
6. The following depositions can be taken and/or completed after the discovery cutoff, and up until March 31, 2006: Adil Lahrichi (3.0 hours remaining; topics to be covered: exacerbation claim, damages, Coherent, recently produced documents); Regine Csipke (4.5 hours remaining); Tom Mino (1.0 hours remaining; financial topics only); Jacek Chrostowski; Amelia Derr; Dr. Frederick DeKay, and Dr. Paul B. Brown. The parties agree that the deposition of Lee Foote may also occur after the discovery cutoff but must be completed by March 17, 2006. The deposition of D. Edson Clark, CPA may occur, if necessary, after he submits a report in the event of a jury verdict in Plaintiff's favor in this case.

7. Within one week of taking the deposition of Lee Foote and/or D. Edson Clark, CPA, the opposing party may disclose a rebuttal expert, and that rebuttal expert's deposition must be completed as soon as is practicable before trial, or, in the case of Mr. Clark, in light of the post-trial schedule.

DATED this 24th day of January, 2006.



U.S. DISTRICT COURT JUDGE

Presented by:

STOEL RIVES LLP

By /s/ Keelin A. Curran

Keelin A. Curran, WSBA #16258
Molly M. Daily, WSBA #28360
Stoel Rives LLP
600 University Street, Suite 3600
Seattle, WA 98101
Telephone: (206) 624-0900
Facsimile: (206) 386-7500
Attorneys for Defendants

Approved as to form:

MacDONALD HOAGUE & BAYLESS

By /s/ Approved by Email

Katrin E. Frank, WSBA #14786
Attorneys for Plaintiff
1500 Hoge Building
705 2nd Avenue
Seattle, WA 98104
Telephone: (206) 622-1604
Fax: (206) 343-3961

**STIPULATED ORDER TO EXTEND CERTAIN
EXPERT DISCLOSURE AND DISCOVERY - 4**

Case No. No. C04-2124C

Seattle-3287558.4 0041109-00005

STOEL RIVES LLP
ATTORNEYS
600 University Street, Suite 3600, Seattle, WA 98101-3197
Telephone (206) 624-0900